

**SENATE SUBSTITUTE FOR
HOUSE BILL NO. 5354**

A bill to amend 1978 PA 368, entitled
"Public health code,"
by amending section 16315 (MCL 333.16315), as amended by 2001 PA
232.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 16315. (1) The health professions regulatory fund is
2 established in the state treasury. Except as otherwise provided in
3 this section, the state treasurer shall credit the fees collected
4 under sections 16319 to 16349 to the health professions regulatory
5 fund. The money in the health professions regulatory fund shall be
6 expended only as provided in subsection (5).

7 (2) The state treasurer shall direct the investment of the
8 health professions regulatory fund. Interest and earnings from
9 health professions regulatory fund investment shall be credited to

1 the health professions regulatory fund.

2 (3) The unencumbered balance in the health professions
3 regulatory fund at the close of the fiscal year shall remain in the
4 health professions regulatory fund and shall not revert to the
5 general fund.

6 (4) The health professions regulatory fund may receive gifts
7 and devises and other money as provided by law.

8 (5) The department of ~~consumer and industry services~~ **COMMUNITY**
9 **HEALTH** shall use the health professions regulatory fund ~~only to~~
10 carry out its powers and duties under this article and article 7
11 including, but not limited to, reimbursing the department of
12 attorney general for the reasonable cost of services provided to
13 the department of ~~consumer and industry services~~ **COMMUNITY HEALTH**
14 under this article and article 7. **FOR THE FISCAL YEAR ENDING**
15 **SEPTEMBER 30, 2007 ONLY, SUBJECT TO APPROPRIATIONS BY THE**
16 **LEGISLATURE AND APPROVAL BY THE GOVERNOR, THE DEPARTMENT OF**
17 **COMMUNITY HEALTH MAY ALSO USE THE HEALTH PROFESSIONS REGULATORY**
18 **FUND TO SUPPORT HEALTH INFORMATION TECHNOLOGY INITIATIVES.**

19 (6) The nurse professional fund is established in the state
20 treasury. Of the money that is attributable to per-year license
21 fees collected under section 16327, the state treasurer shall
22 credit \$2.00 of each individual annual license fee collected to the
23 nurse professional fund. The money in the nurse professional fund
24 shall be expended only as provided in subsection (9).

25 (7) The state treasurer shall direct the investment of the
26 nurse professional fund, and shall credit interest and earnings
27 from the investment to the nurse professional fund. The nurse

1 professional fund may receive gifts and devises and other money as
2 provided by law.

3 (8) The unencumbered balance in the nurse professional fund at
4 the close of the fiscal year shall remain in the nurse professional
5 fund and shall not revert to the general fund.

6 (9) The department of ~~consumer and industry services~~ **COMMUNITY**
7 **HEALTH** shall use the nurse professional fund each fiscal year only
8 as follows:

9 (a) The department may use not more than 1/3 of the nurse
10 professional fund for the establishment and operation of a nurse
11 continuing education program.

12 (b) The department may use not more than 1/3 of the nurse
13 professional fund to perform research and development studies to
14 promote and advance the nursing profession.

15 (c) The department shall use not less than 1/3 of the nurse
16 professional fund to establish and operate a nursing scholarship
17 program.

18 ~~—— (10) The official prescription form program fund established~~
19 ~~by the amendatory act that added this section is abolished. The~~
20 ~~money remaining in the official prescription form program fund on~~
21 ~~the effective date of the amendatory act that added subsection (11)~~
22 ~~shall be transferred by the state treasurer to the pain management~~
23 ~~education and controlled substances electronic monitoring and~~
24 ~~antidiversion fund created in subsection (11).~~

25 (10) ~~(11)~~ The pain management education and controlled
26 substances electronic monitoring and antidiversion fund is
27 established in the state treasury.

1 (11) ~~(12)~~—The state treasurer shall direct the investment of
2 the pain management education and controlled substances electronic
3 monitoring and antidiversion fund. Interest and earnings from
4 investment of the pain management education and controlled
5 substances electronic monitoring and antidiversion fund shall be
6 credited to the pain management education and controlled substances
7 electronic monitoring and antidiversion fund.

8 (12) ~~(13)~~—The unencumbered balance in the pain management
9 education and controlled substances electronic monitoring and
10 antidiversion fund at the close of the fiscal year shall remain in
11 the pain management education and controlled substances electronic
12 monitoring and antidiversion fund and shall not revert to the
13 general fund. The pain management education and controlled
14 substances electronic monitoring and antidiversion fund may receive
15 gifts and devises and other money as provided by law. Twenty
16 dollars of the license fee received by the department of ~~consumer~~
17 ~~and industry services~~ **COMMUNITY HEALTH** under section 16319 shall be
18 deposited with the state treasurer to the credit of the pain
19 management education and controlled substances electronic
20 monitoring and antidiversion fund. The department shall use the
21 pain management education and controlled substances electronic
22 monitoring and antidiversion fund only in connection with programs
23 relating to pain management education for health professionals,
24 preventing the diversion of controlled substances, and development
25 and maintenance of the electronic monitoring system for controlled
26 substances data required by section 7333a.